

**FITCHBURG PLANNING BOARD MEETING MINUTES
TUESDAY, NOVEMBER 20, 2007**

MEMBERS PRESENT: Paula Caron, Chair
John DiPasquale
Mike DiPietro
Mike Hurley
Paul Fontaine, Jr.
Nancy Maynard
Elizabeth Slattery

PLANNING OFFICE: David Streb
Mike O'Hara

Call to Order

Meeting called to order at 6:04 p.m. in the Veteran's Room, First Floor, City Hall.

Communications

Staff informed Board of notice of appeal received from abutters of Special Permit for 170 Prichard St. City Solicitor will file an appearance, but applicant's atty. will need to defend suit.

Staff informed board that an application for technical assistance to create a 40R Smart Growth district for an area across from the commuter rail station was submitted. It would provide funding to assist with creation of a high density residential overlay district, and help to develop the site.

So-called Chapter 43D expedited permitting areas were approved at Legislative Affairs committee last night. Areas approved were at Simonds Saw and Steel and adjacent land along Airport Road, and the former lagoon area in West Fitchburg, near Newark paper mill

Staff reported that a Community Development Action Grant was awarded to the city for \$290,000 for improvements to Sawyer Passway, the city's newest public way.

The open space at the Benjamin Estates subdivision is to be transferred to the city. Victoria Lane was accepted as a public way by City Council.

Meeting Minutes

Motion made & seconded to approve minutes of the October 16th meeting as corrected by Ms. Caron. Vote unanimous to approve.

ANR plans

The Board reviewed and endorsed the following "ANR" plan:

Rivers, 398-400 Princeton Road
Splitting off additional conforming lot.

CAF, LLC, Water St.
Splitting two dwellings on one lot. Will also need to get variances. The two dwellings have same street address (#947). One will need to be changed for public safety purposes.

Also, the Board voted to grant the Planning Coordinator the authority to sign an acceptable ANR plan dividing Loring Arena at the Wallace Civic Center from the balance of Coolidge Park. A draft of an ANR plan was submitted by the City Solicitor, but needs to be reviewed by FSC. This ANR plan is needed in order to finalize the transfer of the property to FSC.

MINOR SITE PLAN REVIEW

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)

Action: Approved.

Brideau, 49 Cobbler Dr. - Isco Industries (continued from 10-16-07)

Dean Brideau presented proposal -- leasing portion of building for office space & garage. Isco is a wholesaler distributor of HDPE pipe. They also use lot on other side of Cobbler Drive for outside storage.

Mr. Brideau: stock comes to site on flatbed trailers, stored on pallets. area is fenced and gated of. Board voted unanimously to approve site plan.

OTHER BUSINESS

Minor site plan revisions & landscaping plan, 470 Main St CDC, Banknorth Bldg.

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)

Action: Approved.

Marc Dohen and Marianne Graham of CDC presented plans.

Architect Randy Johnson spoke regarding safe pedestrian access and minor changes to the Main St. façade and landscaping plan. Discussed the need for pedestrian drop-off capability and short term parking for grocery drop-off. Space #13 is for short-term residential parking. They are going to narrow the curb cut to 24 feet wide and install a concrete sidewalk. They will introduce a planting island and three other green areas.

The stucco wall is being refaced with Dryvit and new window openings. The existing entrance is being reworked to lessen the slope for accessibility purposes.

They have a proposed street tree and grate that will be half on the public way of Putnam St. David Streb said they should get permission from the DPW.

Ms. Caron mentioned that in earlier conversations with Marianne Graham she learned that there will be one off-site parking spot provided for each unit, and one additional spot reserved. There will be 31 units - nine 1-BR and 22 2-BR, less than 1,000 feet per unit. They're looking at a 12 month build-out.

The Board voted unanimously to approve the modification to the site plan

PUBLIC HEARINGS

Special Permit - Lattanzi, 105 Lunenburg Street, mobile food service

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)

Action: Withdrawn

Mr. Lattanzi had contacted the planning office stating that since he did not get approval at the Board of Appeals, he would not be pursuing this special permit (he needed both). The Board voted unanimously to give the application leave to withdraw without prejudice.

Site Plan Review - Benoit, Airport Road, 5,000 sq. ft. industrial building

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)

Action: Approved.

Atty. George Watts presented. They have received a variance from the Zoning Board of Appeals for setback requirements. Plan to erect a 5,000 sq ft steel truss building.

Atty. Watts stated that Mr. Benoit is in the final throes of a purchase and sale agreement for the abutting factory building, and just have to work out some final details. The factory will be torn down after the sale.

Mr. DiPasquale said that he'd like to see a canopy over the door or a roof or something to make it look better.

Mr. Benoit stated that that the loading dock is set back enough to ensure that an 80-foot long truck won't block Airport Road.

Discussion ensued among board members about whether to require paving on a portion of the parking lot.

The Board of Health commented that a resident was living in the factory building illegally contrary to orders by them. The ZBA then denied a variance to allow the residential use. Mr. Watts doesn't feel that this is an appropriate venue to bring the matter up.

The board approved the project unanimously subject to a 3' x 25' planting area, paving & striping a minimum of 25' x 50' of the lot (front of lot from new building to existing street pavement), covered doorway and façade improvement.

Amendment to Special Permit conditions, Madan & Hingorany, 34 Williams Rd

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)

Action: Approved.

In 2006 the Planning Board had required a sprinkler system when they originally approved the lengthy common driveway, after Fire Department review. However, water pressure is insufficient for a sprinkler system. Can't get 10 gallons per minute – only seven. The Fire Department since provided clarification that the residential sprinkler system was desired, but it is not a requirement.

Jim Maillet of Cam Maillet & Sons, the contractor, spoke about widening the driveway so he can get construction trucks up the driveway, so now a fire truck should have no problem getting up the driveway. Said he had an estimate of \$50-70,000 for a sprinkler system.

Board voted unanimously to remove the sprinkler requirement from the Special Permit.

Other Business - Westminster Hill Estates update – Mark Biller

Mark Biller passed out a letter dated 11-20-07 from Lewis Engineering which said that they're 90% done with the water design and agreement with the Water Dept. He said it will be 9-12 months to order and install the tank. He's asking the Planning Board to allow him to phase the project. Let him build 50-60 units and sell them, and then he'll build the tank. He said that the Water Department wants everything built before the first house is built.

The total cost of the water systems improvements is about \$1.3 million

Mr. Fontaine said he'd like to have a decision-maker from the Water Department here next month.

Public Comment:

Brian Lawrence, Briarwood Drive – Will there be a final decision on this project next month?
Mark Biller – I hope so.

Question: Why didn't the developer do single family homes and wells. Mark responded that they see this project as the highest and best use for the land.

Eric Leger, 54 St. Jude Blvd asked if the abutters will be notified prior to starting work.

Mr. Streb explained that this is an approved project, subject to reaching an agreement with the Water Department.

Mark Biller said that if they reach agreement, he will want a significantly longer extension on the Special Permit.

This item will be put on the December 18th agenda. He will request another extension of time if needed.

Other Business - Lot releases for Parker Hill Estates subdivision, Matson Homes

Atty. Watts & Ken Matson present. They don't have documents ready for Board to sign, but they wanted to discuss the Planning Board lowering the total amount recommended by the Engineering Department. They feel it is excessive at \$350,000. They asked why the retainage is set at 15%, particularly for work that has been completed. Mr. Streb explained that these size of projects are extraordinarily expensive to put out to bid due to its small size and the requirement for paying prevailing wages if bid by the city.

Mr. O'Hara explained that engineering already reduced the number at the applicant's request.

The Board expressed reluctance at changing the numbers from the recommendations of the Engineering Department.

Atty. Watts: there will be a tri-party agreement with Fidelity Bank.

The Board voted to give Mr. Streb the authority to approve a bond reduction if agreement is reached between the applicant and the Engineering Department.

Other Business - Clarification - Sheldon & West St. Special Permit - McCarty

Referring to letter to the Board dated 11-20-07 Dan McCarty requested a clarification from the Board regarding what activity constitutes the beginning of the work on the project (which must be stated within two years) and when the work must be completed by. Some tree clearing is being done now. He stated that they were asking for an extension for the date of completion of all work to June 1, 2011, and that the site clearing constitutes the beginning of work at the site.

The Board approved a minor modification to the project in which the ending date is changed to June 1, 2011 and that the site clearing work and other items specified McCarty's letter now being performed constitutes the beginning of work.

Public Hearing - Draft amendments to subdivision rules & regulations

The board reviewed a handout of several proposed changes to the Subdivision Rules and Regulations. The Board agreed to adopt all draft items except 4.2.1 allowing for minor tweaking and language revisions.

Other Business - Discussion - draft "small wind energy systems" zoning amendment

The Planning Office was directed by the Council and Mayor's office to prepare a draft zoning amendment for the establishment of small wind energy systems by special permit. The board conducted a preliminary review of the information, including primary purpose, sticking points (setbacks, size etc) and other areas that may need clarification. Another draft will be prepared for further review.

Meeting adjourned 10:05 p.m.

Next meeting: December 18, 2007
approved: 12-18-07